

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Kevin T. Lightner
Debtor(s)

Bankruptcy Case No.: 15-22215-CMB
Issued Per Oct. 3, 2019 Proceeding
Chapter: 13
Docket No.: 109 – 105, 106
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated August 19, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,099 as of October 2019. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: October 11, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Imaged Certificate of Notice Page 4 of 5

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
Kevin T. Lightner
DebtorCase No. 15-22215-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
Form ID: 149Page 1 of 2
Total Noticed: 39

Date Rcvd: Oct 11, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 13, 2019.

db +Kevin T. Lightner, 4741 Doyle Road, Pittsburgh, PA 15227-1309
r +Gina Giampietro, REMAX Select Realty, 1187 Thorn Run Rd., Moon Township, PA 15108-3198
cr +Peoples Natural Gas Company, LLC, Attn: Dawn Lindner, 375 North Shore Drive, Suite 600, Pittsburgh, PA 15212-5866

14065098 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
(address filed with court: Bank of America, P.O. Box 15276, Wilmington, DE 19886-5726)
14065101 +Chase, P.O. Box 15678, Wilmington, DE 19885-0001
14065103 +Citi Cards, P.O. Box 6500, Sioux Falls, SD 57117-6500
14065104 +Citizens Bank, One Citizens Plaza, Providence, RI 02903-1339
14079081 +Citizens Bank, N.A., 443 Jefferson Blvd. RJW-135, Warwick, RI 02886-1321
14097033 ECAST SETTLEMENT CORPORATION, ASSIGNEE, OF CITIBANK, N.A., POB 29262, NEW YORK, NY 10087-9262

14065108 +Michael Talarico, 2306 Shamrock Lane, Canonsburg, PA 15317-1992
14088279 +Midland Credit Management, Inc. as agent for MIDL, PO Box 2011, Warren, MI 48090-2011
15106752 Midland Mortgage, Attn: Payment Processing, PO Box 268888, Oklahoma, OK 73126-8888
15106753 Midland Mortgage, Attn: Customer Service Center, PO Box 26648, Oklahoma, OK 73126-0648
14067767 +PNC BANK, N.A., PO BOX 94982, CLEVELAND, OHIO 44101-4982
14065110 +PNC Bank, PO Box 747032, Pittsburgh, PA 15274-7032
14916703 +Pacific Union Financial, LLC, 1603 LBJ Freeway, Suite 500,, Farmers Branch, TX 75234-6071
14916702 Pacific Union Financial, LLC, PO Box 679094, Dallas, TX 75267-9094
14065114 Walmart/Synchrony Bank, PO Box 5309257, Atlanta, GA 30353-0927
14065115 +Wells Fargo Bank, N.A., 3476 Stateview Boulevard, Fort Mill, SC 29715-7200
14105410 +Wells Fargo Bank, N.A., C/O Wells Fargo Bank, N.A., as servicer, Attn: Bankruptcy Dept./MAC #D3347-014, 3476 Stateview Blvd., Fort Mill, SC 29715-7203
14065116 +Zales Credit, PO Box 183015, Columbus, OH 43218-3015

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 12 2019 02:51:00
PRA Receivables Management, LLC, PO Box 41067, Norfolk, VA 23541-1067

cr +E-mail/Text: bncmail@w-legal.com Oct 12 2019 02:47:23 Synchrony Bank,
c/o Weinstein & Riley, P.S., 2001 Western Ave., Suite #400, Seattle, WA 98121-3132

14065097 E-mail/Text: ally@ebn.phinsolutions.com Oct 12 2019 02:46:30 Ally Financial,
P O Box 130424, Roseville, MN 55113-0004

14099829 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Oct 12 2019 02:51:48
American InfoSource LP as agent for, Verizon, PO Box 248838,
Oklahoma City, OK 73124-8838

14110006 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Oct 12 2019 02:46:45
COMENTY CAPITAL BANK/PAYPAL CREDIT, C/O WEINSTEIN & RILEY, P.S.,
2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132

14065105 E-mail/Text: svlainich@communitybank.tv Oct 12 2019 02:47:21 Community Bank, PO Box 357,
Carmichaels, PA 15320

14065099 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Oct 12 2019 02:50:19 Capital One Bank,
P.O. Box 30281, Salt Lake City, UT 84130-0281

14079484 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Oct 12 2019 02:51:32
Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083

14065106 E-mail/Text: cio.bncmail@irs.gov Oct 12 2019 02:46:39 Internal Revenue Service,
PO Box 7346, Philadelphia, PA 19101-7346

14065107 +E-mail/Text: bk@lendingclub.com Oct 12 2019 02:47:35 LENDINGCLUB CORP, 71 STEVENSON ST.,
3RD FL., San Francisco, CA 94105-2965

14520097 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 12 2019 02:51:36
Portfolio Recovery Associates, LLC, PO Box 41067, Norfolk, VA 23541

14119092 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 12 2019 02:51:37
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541

14065109 +E-mail/PDF: gecsed@recoverycorp.com Oct 12 2019 02:50:17 PayPal, P.O. Box 965005,
Orlando, FL 32896-5005

14065112 E-mail/PDF: cbp@onemainfinancial.com Oct 12 2019 02:50:55 Springleaf Financial Services,
710 Clairton Blvd Ste 1, Pittsburgh, PA 15236

14065111 E-mail/PDF: cbp@onemainfinancial.com Oct 12 2019 02:50:51 Springleaf Financial Services,
P.O. Box 971, Evansville, IN 47706

14080947 E-mail/PDF: cbp@onemainfinancial.com Oct 12 2019 02:50:15 Springleaf Financial Services,
PO Box 3251, Evansville, IN. 47731-3251

15031709 +E-mail/Text: bncmail@w-legal.com Oct 12 2019 02:47:23 SYNCHRONY BANK,
C/O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132

14065113 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Oct 12 2019 02:46:23
Verizon Wireless**, P.O. Box 3397, Bloomington, IL 61702-3397

TOTAL: 18

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Nationstar Mortgage LLC d/b/a Mr. Cooper
cr WELLS FARGO BANK, N.A.
cr WELLS FARGO BANK, N.A.

District/off: 0315-2

User: jhel
Form ID: 149

Page 2 of 2
Total Noticed: 39

Date Rcvd: Oct 11, 2019

cr* +PRA Receivables Management LLC, POB 41067, Norfolk, VA 23541-1067
14065100* +Capital One Bank, P.O. Box 30281, Salt Lake City, UT 84130-0281
14065102* +Chase, P.O. Box 15678, Wilmington, DE 19885-0001
14658075* ++PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067
(address filed with court: Portfolio Recovery Associates, LLC, PO BOX 41067,
Norfolk, VA 23541)

TOTALS: 3, * 4, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 13, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 11, 2019 at the address(es) listed below:

Christopher M. Frye on behalf of Debtor Kevin T. Lightner chris.frye@steidl-steinberg.com,
julie.steidl@steidl-steinberg.com;todd@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;cgo
ga@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-ste
inberg.com
James Warmbrodt on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper
bkgroup@kmlawgroup.com
Jill Manuel-Coughlin on behalf of Creditor WELLS FARGO BANK, N.A. jill@pkallc.com,
chris.amann@pkallc.com;nick.bracey@pkallc.com;samantha.gonzalez@pkallc.com;harry.reese@pkallc.com
;mary.raynor-paul@pkallc.com;amanda.rauer@pkallc.com
KIMBERLY A. BONNER on behalf of Creditor WELLS FARGO BANK, N.A. kab@jsdc.com,
jnr@jsdc.com;eaf@jsdc.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company, LLC sjw@sjwpgh.com,
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 7